IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7540 OF 2005

I.H.Attar and another Applicants

versus

The State of Maharashtra Respondents

A.P.Mundargi with R.M.Sawant for applicants.

S.R.Borulkar, Special P.P. for respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 28th November 2005

PC :

1. This matter was moved on 25th November 2005 and in view of the apprehension expressed by the applicants, they have been protected till date and the matter was placed today.

2. The learned senior counsel appearing for the applicants states that as far as subject CR is concerned (CR No.2/2005), the charge sheet is filed on 25th October 2005. The applicants submit that interim protection granted by this Court may be continued for some time to enable them to surrender before the concerned Court and

upon such surrender, it would be for the appropriate Court to consider the application preferred by the petitioners for bail on it's own merits and in accordance with law.

3. Shri Borulkar, learned Special Public Prosecutor states that since the charge sheet is filed, the applicants can approach the regular Court but some conditions may be imposed to appear before the said Court.

4. In the light of the submission of Shri Borulkar, it is directed that the applicants shall remain present before the appropriate Court on Monday, 5th December 2005. The applicants shall not be arrested till then. However, the applicants shall co-operate with the investigating machinery and attend concerned Police Station as and when summoned. This order is passed without going into the merits of the matter and rival contentions are kept open for being urged before the appropriate Court. The appropriate Court to dispose of the application for enlargement on bail on its own merits and uninfluenced by this order. Application disposed of.

(S.C.DHARMADHIKARI, J.)